



THE HOLY SEE

2016 Human Dimension Implementation Meeting

Working Session 12: Fundamental freedoms I – freedom of thought, conscience, religion or belief

Tuesday, 27 September 2016

Mr. Moderator,

The Holy See, in accordance with its special mission, makes use of this 12th Working Session to address a series of issues related to the freedom of religion or belief, to which it attaches great importance. During the negotiations at the Conference on Security and Cooperation in Europe which led in 1975 to the adoption of the Helsinki Final Act, it was the Holy See that called upon the participating States to recognize explicitly the right to religious freedom, seeing in this fundamental right the protection of freedom and democracy.

The freedom of religion or belief is not only listed among the Decalogue of the Helsinki Final Act (Principle VI) and further safeguarded by subsequent commitments of this Organization; it is also recognized as one of the fundamental human rights by *The Universal Declaration of Human Rights* (art. 18). All OSCE participating States, and indeed all States, are bound to protect and promote this right; and any violations of it must be met with the unified opposition of all, and their firm commitment to correct such injustices, regardless of the faith of the victims, or their belonging to the majority or a minority religion in a given society.

The Holy See recalls, that as a fundamental human right, the freedom of religion or belief is not granted or given to its citizens by a State; the State is duty-bound to recognize and protect it, including, of course, its free and full exercise. As a result, for civil authorities, and in particular for the State, the principle of religious freedom represents an inherent limit to the state's power, a power which is necessary but which may often be invasive. It is to the historical credit of Christianity that in separating that which belongs to Caesar from that which belongs to God, it created the possibility for the existence of the secular state. The term "secular state" is not to be understood as a state which is indifferent to religion, or, worse still, as an agnostic state. Rather, it implies a state which, being aware of the value of religious belief for many of its citizens and of the important role of religious communities in society, allows everyone to live and act in accordance with the dictates of his or her own conscience, both alone or in community with others, while equally respecting those who do not profess any belief system.

The international instruments enshrine not only the inviolability of individual conscience, but also the religious dimension in its specificity as a socially organized phenomenon. Consequently, the right of religious communities to exist as autonomous organizations is already recognized in international instruments and in the OSCE Commitments. In this respect my Delegation welcomes again the *Guidelines on the Legal Personality of Religious or Belief Communities*, which represent a benchmark document containing minimum international standards at the disposal of those involved in drafting, reviewing and applying the relevant legislation.

In a multicultural context, the coexistence of different religious affiliations requires a substantial effort on the part of civil authorities and actors in society. The principle of “reasonable accommodation” can be applied in many areas of public life. This process requires much reflection and patience, but it can bear fruit by more effectively promoting greater inclusiveness.

A society that grants freedom of religion or belief is a society that unleashes for its own benefit the potential for active and constructive engagement, as well as the advancement of the common good that is to be found in the work of religious communities. Religious freedom then becomes the juridical context which allows religious communities to contribute actively to democratic debate and to the promotion of a shared culture of human rights. Although some concepts of “civil society” – a word so often in use – deliberately excludes faith communities, others include them, also in recognition of the numerous associations of religious inspiration that work in and for society, as well as the network of informal associations and support groups within faith communities that form an integral part of the fabric of society. To value civil society means to accept its multifaceted nature: for each religion it means recognising the freedom of other religions, and of those men and women who do not recognize the transcendent; for society it implies recognizing religious communities as subjects participating, with every right, in the building of that same society. In today’s context of multicultural societies, respect for religious freedom is one of the fundamental factors by which the health of a given democracy can be evaluated as being truly a home for everyone. Promoting religious freedom appears particularly important in averting and countering the phenomena of violent extremism and radicalization that lead to terrorism, since people whose religious freedom is not recognized may feel themselves excluded from society and develop a desire for retribution against that society.

Recognition of freedom of religion or belief as a fundamental right entails fully acknowledging the other as he or she is. It means, on the basis of our shared human dignity, opening a space not only for tolerance, but for a common belonging, for sharing our most deeply held convictions with those who are different from us, without compromising our respective beliefs. It means not only respecting the personal ideas of the other, but also recognizing the right of

communities and confessions different from our own to be present in society and to cooperate in building up our society.

Religious freedom is, therefore, like a barometer which accurately indicates the true level of freedom within a society. Despotic systems in every age have always aimed to gain strict control over Churches and, as there are no authoritarian regimes which espouse authentic religious freedom, so too all restrictions of religious freedom lead to a weakening of the democratic fibre of society. The OSCE should continue to strive for a region where religious freedom assists our common mission of security and co-operation.

Thank you, Mr. Moderator.